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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Noritsugu Yamasaki et al.

Art Unit : 1625

Serial No. : 09/869,101

Examiner : Laura L. Stockton

Filed : June 22, 2001

Title : BENZIMIDAZOLE DERIVATIVES

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated December 24, 2003, finally rejecting claims 1-6.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including June 24, 2004 is enclosed.

A check in the amount of \$330 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 23, 2004

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit June 23, 2004

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Typed or Printed Name of Person Signing Certificate Denise A. Rose

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